



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,597	10/29/2003	Craig John Simonds	201-1109	6875

28415 7590 09/09/2004

PRICE, HENEVELD, COOPER, DEWITT & LITTON, LLP
695 KENMOOR S.E.
P. O. BOX 2567
GRAND RAPIDS, MI 49501-2567

EXAMINER

NGUYEN, THU V

ART UNIT PAPER NUMBER

3661

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/696,597

Applicant(s)

SIMONDS ET AL.

Examiner

Thu Nguyen

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/22/03 & 1/15/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5, 7-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over McWalter et al (US 2003/0179233) in view of Mocek et al (US 2003/0182099) (Mocek '099 hereinafter).

As per claim 1, 4, 8-9, 11, McWalter teaches a system for providing vehicle context information for onboard vehicle devices, the system comprises: a monitor TCU for monitoring a plurality of onboard vehicle devices (MP3; safety devices, etc.) and receiving context information (para 0032; 0037; 0043); an application programming interface (para 0038-0039). McWalter does not explicitly teach identifying context information related to each vehicle devices, storing the vehicle context information for the vehicle devices, and downloading the vehicle context information to the requesting device. However, since McWalter teaches that the TCU includes a plurality of carlets for monitoring different onboard vehicle devices (para 0036), and transmitting data the TCU wants to present to the user to a user interface (para 0042), McWalter obviously includes teaching the capability or identifying the context information related to each device in order to be able to provide specific data the TCU wants to present, and downloading the data to the output device. Moreover, storing received information for

Art Unit: 3661

transmitting such the information when needed would have been well known. Furthermore, Mocek '099 teaches downloading context data to a requesting device (para 0038). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include an application interface of Mocek to the system of McWalter in order to facilitate transmitting data when requested.

As per claim 2-3, including address pointers, and look up table to facilitate retrieving specific information at a specific identified location in a memory would have been well known.

As per claim 5, since McWalter teaches the capability of monitoring status of different devices that perform different functions (para 0026), McWalter obviously includes teaching providing status and functionality of the devices.

As per claim 7, 10, providing wireless interface between devices, using a portable requesting emulator would have been well known.

As per claim 12, refer to claim 1 above. Moreover, McWalter teaches the capability of sensing the present of a plurality of onboard devices (para 0039). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to extend the ability to sense the present of other devices onboard the vehicle in order to determine available data from devices.

Art Unit: 3661

As per claim 13-19, refer to claims 1-2, 5, 8-9 above. Further, McWalter teaches determining how to access the vehicle context information of the output devices (para 0043).

3. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over McWalter et al (US 2003/0179233) in view of Mocek et al (US 2003/0182099) (Mocek '099 hereinafter) and further in view of Mocek et al (US 2003/0182233) (Mocek '233 hereinafter).

As per claim 6, McWalter teaches including a personal device MP3, PDA, etc. (para 0032), and Mocek '233 teaches including onboard diagnostic device (para 0082). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a diagnostic device to the vehicle of McWalter in order to allow the user to perform vehicle diagnosis onboard the vehicle.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 305-7687, (for formal communications intended for entry)

Or:

(703) 305-7687 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park V, 2451

Crystal Drive, Arlington, VA., Seventh Floor (Receptionist).

Art Unit: 3661

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Nguyen whose telephone number is (703) 306-9130. The examiner can normally be reached on Monday-Thursday from 8:00 am to 6:00 pm ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black, can be reached on (703) 305-8233. The fax phone number for this Group is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1111.



THU V. NGUYEN
PRIMARY EXAMINER

September 2, 2004